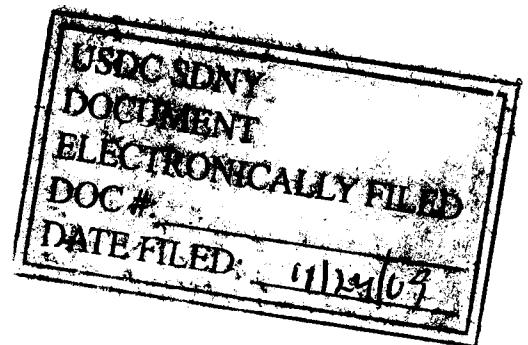


ORIGINALUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
 UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 YORICK RAFAEL CORNIEL-PEREZ, :
 a/k/a "Rafi," :
 :
 :
 Defendant. :
 - - - - - x

09 CRIM. 1126SEALED INDICTMENT

09 Cr.

COUNT ONE

The Grand Jury charges:

1. From in or about mid-2005 through in or about November 2009, in the Southern District of New York and elsewhere, YORICK RAFAEL CORNIEL-PEREZ, a/k/a "Rafi," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that YORICK RAFAEL CORNIEL-PEREZ, a/k/a "Rafi," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812,

JUDGE SCHEINDLIN

841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

Overt Act

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 28, 2009, YORICK RAFAEL CORNIEL-PEREZ, a/k/a "Rafi," the defendant, met with a Government informant to plan the transportation of approximately 10 kilograms of cocaine from Long Island to New York City.

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in this Indictment, YORICK RAFAEL CORNIEL-PEREZ, a/k/a "Rafi," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting and derived from any proceeds that YORICK RAFAEL CORNIEL-PEREZ, a/k/a "Rafi," the defendant, obtained directly and indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in this Indictment.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p) to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981, and Title 28, United States Code, Section 2461.)

FOREPERSON

Preet Bharara

PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

YORICK RAFAEL CORNIEL-PEREZ, a/k/a
"Rafi,"

Defendant.

INDICTMENT

09 Cr.

(21 U.S.C. 846)

PREET BHARARA
United States Attorney.

A TRUE BILL



Foreperson.

11-24-09 Filed Indictment Under Seal AW issued
Pitman
U.S.M.J.

